G. R. S. IX-5]

Previous references.

File No. 46-21

Serial Nos 1-5.

192/

(Ct.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Five

Part B for October 1921

SUBJECT.

Amendment to Rule of Practice No. 153 (Civil/Criminal) in the matter of the preparation and Examination of Copies by Salaried Officials

---

8(5) 2 The Registrar, Chief Court

No. J. 1936 dt 29.9.21

Sanctions the above proposed amendment

WD 1888—GPB—16,926—23-7-21

8/10/21

G.R.S. 141 — 1921-22 — 381

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES

File No. 46-21

FILE HEADING.

Amendment to Rule of Practice no 153 of 28. January 1913 (civil) in the matter of the preparation and examination of copies by salaried officers

From

The Registrar Chief Court

No. 108 Dated 26.7.1921 Received 28.7.1921

Diary No. 381 | Enclos. 1 | Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests sanction for reasons given to amend the Civil Rule of Practice no 153 of 28-1-1913 so as to admit of salaried officers of the munsifs court preparing and examining copies out of office hours and getting remuneration therefor.

NOTES AND ORDERS.

1) Subm for orders with a draft

2) The rule to be amended is printed on page 119 of the Civil Rules

Plan print & draft for Cr. Rules 29/7/21

3) 29.7.21. Cr. Rules for approval or orders.

2 and 1 Gazetteer

D. M. 4.8.21

Draft below

GPB—15,000—24-4-09

General and Revenue Secretariat. | Cb File No. 46 of 1924.

Serial No.

1151 / 14.8.21

4) Is not a similar addendum necessary in case of criminal courts also?

Yes
16/9 lm

5) Please issue a circular to the subordinate courts enquiring Dr. 1918

ISSUE & RESUBMIT.

ISSUE & RESUBMIT.

2. Yes Registrar each court
No 909 dt 23-8-1921
Sanctions the above for ~~recommendation~~ amendment

6) Resolution to draft note with reference to paragraph (5) above.

7) Issue
dcs
27/8/21

26/8/21 MS 26/8

3. do Yes Registrar each court
No 1281 dt 31.8.1921
Enquiries whether a similar rule is not necessary in the case of criminal courts also.

Secy
31/8

4. Dr
The Registrar Sessions Court
Letter no Roc 258 dt 10.9.21
With reference to 3 states that it is desirable

NOTE—Contn. sheet.

1095

(3

G. R. S. III-2]

General and Revenue Secretariat. | Ch File No. 46 of 19 21-

Serial No.

to frame a rule in the case of criminal courts as
in the case of civil courts re the copying and
examining of documents and getting remuneration
therefor by officials and requests that the
proposed amendment may be sanctioned
8) Submitted with a draft

9.
14/9/24 9) Please revise the draft
1575. inserting order already passed in
the reading portion. cag
1579

10) Submitted with a revised draft

11) for approval & orders
15/9/24 3rd member) cag
1575 17.9.21.

2047
19.9.21

12) Issue
cag
26.9.21

So be Resolution each court.
Nod 1936 dt 29-9-1921
Sanctions the above proposed
amendment

3129

C. No 108 / 1921 / 22

DIARY No. 381

4

Chief Court of Mysore,
Bangalore, 22nd July 1921.

265 46-24

1

From

The Registrar of the
Chief Court of Mysore,
B a n g a l o r e.

GEN & REV. SECTT.
27 JUL 1921

To

The Secretary to the Government
of H. H. the Maharaja of Mysore,
Revenue Department, Bangalore.

PROTECTION
28 JUL 1921

S i r,

I am directed to state that the District Judge of Shimoga reports that the Munsiff of Davangere finds it difficult to get applicants for employment as licensed copyists and examiners in his Court and that in the Court of the Munsiff of Chikmagalur the income of the examiner is too small to employ a separate examiner. There are only two copyists in the latter Court. Under para 20 of Civil Rule of Practice No.153 dated 28th January 1913 the two cannot do both the work of preparing and of examining the copies. The District Judge therefore solicits permission to allow salaried officials of the Davangere Court to prepare and examine copies and the officials of the Chikmagalur Court to compare copies and receive remuneration.

The Judges consider that where copies to be made and examined are so few that it does not pay to appoint a man for the purpose, there may not be much detriment to office work if copies are prepared and examined by the regular staff out of office hours and if this is done they should be paid also. But paragraph 20 of the Rule of Practice 153 does not allow

this.

this. It is therefore proposed to issue the enclosed addendum to the Rule of Practice and I am to request - that the Government may be pleased to accord their --- sanction thereto.

I have the honor to be,

S i r,

Your most obedient servant,

DEPUTY REGISTRAR.

TMH/

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

C I V I L S I D E.

Addendum dated..... .....to Rule of Practice No.153, dated the 28th January 1913.

The Chief Court directs that

(1) the words "prepared or" be inserted between the words "be" and "examined" occurring in the last sentence of paragraph 20;

and (2) the following be added after the present last sentence of the same paragraph.

" In exceptional cases where the income does not admit of the entertainment of separate copyists and examiner or where candidates to take up such posts are not available, the Chief Court may permit -- salaried officials of the Court to prepare or examine copies and to receive remuneration for the work done ".

DEPUTY REGISTRAR.

TMN/

7

G.R.S. 28]

4/18

File No. 46-4
Serial No. 2

Diary No. of letter replied to 381

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

READ—

the 191 .

Letter no C 108 d 26-7-1921 from the Registrar Chief Court stating that in civil courts the judges consider that where copies ~~Order thereon. No.~~ made and examined are so few that it does not pay to appoint a man for the purpose, there may not be much detriment to office work if copies are prepared and examined by the regular staff out of office hours for which they will be paid for and

Date of issue 28/8

Signed by M. Rao.

over.

SUBJECT.

28/8/18

GPB—50,000—1-12-12

requesting sanction for the ~~enclosed~~ Moorgate addendum

~~amendment~~ ~~area~~ to the civil

Rule of Practice no 153 of 28-1-1913

providing for the preparation and

examination of copies by salaried

[Also enter this addendum]

officers.

order 1909

Sanctioned. ~~Advertisement~~

D. M. 11/8 Rec'd

To

the Registrar Chief Court, Lucknow.

R/

29/7/21

G. R. S. VI—G/32]

2/8

SUBJECT.....

.....

.....

Diary No. of letter replied to 381.

General and Revenue Secretariat
( )
, the 191 .

Date of issue 31/8/24

Signed by W Bry

Section Ch
File No. Leb. 21
Serial No. 3

No. F 1261

To

The Registrar Lahore Court.

Sir

With reference to your letter no 108 of 26.7.1924 in the matter of amendment of Civil Rule of Practice no 153 of 28-1-1913 so as to admit of salaried officials preparing and examining copies out of office hours and getting remuneration therefor, I am directed to enquire whether a similar rule is not necessary

P.T. over.

in the case of criminal courts

also.

Thanesar

7/27/1872

Forwarded

8/

26/7?

List of enclosures.

Copied by

Examined by

Received 09488

DIARY No. 1281 J

SECTION Cts. 46-21-4

Chief Court of Mysore,

Bangalore, 10th September 1921.

SERIAL No.

GEN & REV. SECTT.

13 SEP 1921

From

A. Srinivasa Raghavachar, Esq., B.A., B.L.,

Registrar of the Chief Court of Mysore,

B A N G A L O R E.

To

B. Ramaswamaiya, Esq., B.A., B.L.

General Secretary to the Government of

His Highness the Maharaja of Mysore,

B A N G A L O R E.

S i r,

Adverting to your letter No.J.1281-Cts. 46-21-3 dated the 31st August 1921, enquiring whether a rule similar to the amendment dated 25th August 1921 to Civil Rule of Practice No.153 is not necessary in the case of Criminal Courts also, I am directed to state the Judges are of opinion that it is desirable to frame the rule suggested.

Under addendum dated 8th December 1913 to Criminal Rule of Practice 85, salaried officials of a Criminal Court are permitted to prepare copies in any court where the --- average realizations of copying fees do not exceed Rs10/- per month; and paragraph 2 of rule 13 of Rule of Practice 85 allows salaried officials of the courts to examine copies and receive therefor remuneration/(Vide G.O. No.J.1284-85 dated --- 29-10-13). But the addendum to Civil Rule of Practice 153 is wider in its application. The difficulty of getting suitable candidates for employment as copyists is greater

in

in the case of Criminal Courts than in Civil Courts as the former (especially those of 2nd and 3rd class Magistrates) ~~are~~ they often located in out of the way -- places and the Volume of the work turned out might not be enough to tempt a copyist in accepting employment. I am to request therefore that Government may be pleased to accord their sanction for the issue of the enclosed amendment.

I have the honor to be,

S i r,

Your most obedient servant,

12/9/21

R E G I S T R A R.

MPV/

Bund 6 814 (13

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CRIMINAL SIDE.

Addendum et corrigendum, dated.....,
to Rule of Practice 85, dated the 27th March 1913.

The Chief Court directs that addendum dated the 8th December 1913 to R.P. No.85 be deleted and the following be added to the first paragraph of Rule 13:--

> In exceptional cases where the income does not admit of the entertainment of separate copyists, and is less than Rs10/- or where a sufficient number of candidates suitable for employment as copyists is not available, the Chief Court may permit the salaried officials of the Court to prepare copies and to receive remuneration for the work done "

Thennisalapuram
12/9/21
REGISTRAR.

TMN/

(14.

G.R.S. 28]

Ch File No. 46 4

Serial No. 5

Diary No. of letter replied to 1095

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

the 191 .

Date of issue 29. 9. 1921.

Signed by Asst. C. Abdul Ghani

READ—

G.O. no 909/Ch 46+21-2 dt 23.8.1921 sanctioning the amendment of the Civil Rule of Practice no 153 so as to provide for the copying and examining of documents by salaried officials of the civil courts of the Departments pertaining to office work out of office hours and getting remuneration therefor in courts where it does not pay

ORDER THEREON. No.

over.

SUBJECT.

GPB—50,000—1-12-12

/5~

to appoint a copyist for the purpose.

2. Correspondence ending with letter no. No C 258 dy 10.9.1921 from the Registrar Chief Court stating that the rules for the copying and ~~com~~pasting of documents may be amended in Criminal Courts as in the Civil Courts and requesting sanction to the following addendum to the Criminal Rules of Practice no 85 ~~1913~~ dy 27th March 1913, providing that Salaried officials of the Criminal Courts may prepare and examine copies out of office hours getting remuneration therefor (Her under the addendum)

order

Sanctioned

17.9.21

Put Secy

2.

The Registrar Chief Court informed.